

Application No. 09/998,855
Docket No. 2000U055.US
Reply to Office Action Dated April 20, 2004

Remarks

Section 112, ¶ 2 Rejections

Claims 1-5, 8 and 19-20 were rejected under 35 U.S.C. § 112, ¶ 2 as indefinite, the Examiner citing Ex Parte *Slob*, 157 USPQ 172. The Applicant traverses this rejection, as *Slob* does not exclude the use of functional claim language per se. In *Slob*, the “desired physical characteristic” was that of “being compatible with the ingredients in the powdered detergent composition”. The Applicant, on the other hand, claims ingredients of a catalyst composition “characterized in that the at least one gelling agent forms thermally-reversible viscoelastic liquid-like or solid like materials in organic liquids”. The Applicant’s claimed invention would not include “any conceivable combination of ingredients” (Action of April 20, 2004, page 2), but is limited to having definable features other than simply being “compatible” as in the claims at issue in *Slob*.

Nonetheless, to facilitate allowance of embodiments of the present invention, the Applicant amends Claims 1 and 6 to include the limitations of Claims 2 and 8, respectively, and cancels claims 2, 4 and 8.

Thus, the Applicant requests that this rejection be withdrawn.

Section 103 Rejections

The Examiner rejected Claims 1, 4-7 and 19-20 under 35 U.S.C. § 103(a) as being unpatentable over either *Chisso* or *Takebe* (from Office Action dated March 19, 2004) in view of Cotton and Wilkinson “Advanced Inorganic Chemistry” (excerpt). The Applicant traverses, as the claims as now amended are not disclosed in the art cited by the Examiner.

Takebe addition of “polyvalent metal salt” to the polymerization reactor and/or medium. The specification states at col. 3, lines 32-36 that “This invention is characterized by the addition of a modifier of a polyvalent metal salt . . . in the slurry polymerization system for the polymerization of olefins”. Further, at col. 4, lines 56-68, it is stated that “the point at which the polyvalent metal salt modifier is added is not critical. The modifier can be added to the diluent before initiation of the polymerization, or at the time of the initiation . . .” There is no

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unequivocal disclosure in *Takebe* of using the "polyvalent metal salt" as part of the "catalyst composition" as the Applicant claims.

Further, *Chisso* does not disclose the invention as claimed, nor does the copper compound in that reference fairly suggest the Applicant's invention as part of a "catalyst composition" as Applicant claims.

Thus, the Applicant requests that this rejection be withdrawn.

Other Claim amendments and New Claims

The limitations of Claims 2 and 8, incorporated into claims 1 and 6 (respectively), have been further amended to add the prefix —alkyl— before "ammonium", support for which is found at page 19, paragraph [0075], line 34 ("organogel") and the embodiments at paragraph [0077] and working examples. No new matter is believed to be added.

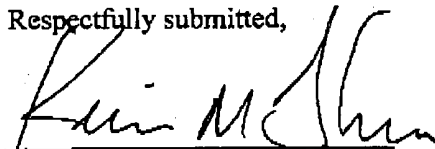
New Claims 21 and 22 are derived from the specification as filed at, for example, pages 7-13 and the working examples. No new matter is believed to be added.

It is submitted that the case is in condition for allowance. The Applicant invites the Examiner to telephone the undersigned attorney if there are any other issues outstanding which have not been presented to the Examiner's satisfaction.

Respectfully submitted,

Date

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